

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEVEN PITTS,

Petitioner,

- against -

DISTRICT ATTORNEY CHARLES J. HYNES
and PRESIDING JUSTICE MICHAEL J.
BREENAN,

Respondents.

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A Memorandum and Order of the undersigned having been filed this day dismissing the complaint, it is

ORDERED, ADJUDGED AND DECREED that the complaint is dismissed pursuant to Fed. R. Civ. P. 41(b). A certificate of appealability shall not issue, as petitioner has not made a substantial showing of the denial of a constitutional right. The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal.

Dated: Brooklyn, New York
November 1, 2013

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge